UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,456	08/27/2003	Christopher H. Claudatos	14160-012001	7129

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EXAMINER
MIRZA, ADNAN M

ART UNIT	PAPER NUMBER
2445	

NOTIFICATION DATE	DELIVERY MODE
02/25/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATDOCTC@fr.com

	Application No.	Applicant(s)
Office Action Summary	10/650,456	CLAUDATOS ET AL.
	Examiner	Art Unit	
	ADNAN M. MIRZA	2445	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *27 August 2003*.
2a) ☐ This action is FINAL.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-22* is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-22* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on *27 August 2003* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.   Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Merchant et

al (U.S. 6,732,184) and further in view of Moriconi et al (U.S. 6,941.472).

1.   As per claims 1,11,22 Merchant disclosed computer network comprising: a multi port

network device to receive data packets to be transmitted using the computer network, the

network device storing one or more authorized network descriptors; and a computer executing a

software application, the software application generating data packets to be transmitted to the

computer network through the network device (col. 2, lines 1-14), the software application

registering a network rights descriptor with the network device, the software application

inserting the network rights descriptor in each generated data packet (col. 5, lines 12-21).

However Merchant did not disclose in detail wherein the network device is configured to discard

the data packet if the network rights descriptor in the data packet does not match an authorized

network rights descriptor, and to process the data packet if the network rights descriptor in the

data packet matches an authorized network rights descriptor.

In the same field of endeavor Moriconi disclosed, "In the FIG. 2 embodiment for non-volatile

memory 124 includes a policy manager 210 that manages and distributes a policy. A policy is

intended to specify the security requirements for applications and database objects. A policy may

contain thousands of "security rules" that describe several constraints, including what

applications a particular user can access, what objects (operations) within an application, a user

can access, and how those privileges are constrained by time, geography, or external events. In

general, a policy or authorization policy should constraint access to both applications and

operations within them (col. 5, lines 56-67). One ordinary skill in the art at the time of the

invention knows that policy manager goes through the database to implement these rules by

matching or comparing them against different objects in the database.

2.   As per claims 2,12 Merchant-Moricon disclosed wherein: the one or more authorized

network descriptors are stored persistently in the network device (Merchant, col. 2, lines 1-24).

3.   As per claims 3,13 Merchant-Moricon disclosed wherein: the one or more authorized

network descriptors are stored in a device connected to the computer network, and the network

device is configured to retrieve the authorized network descriptors from the device (Merchant,

col. 5, lines 11-19).

4.   As per claims 4,14 Merchant-Moricon disclosed wherein: the network device is

configured to retrieve the authorized network descriptors from an authentication server

(Moriconi, col. 5, lines 56-67).

5.   As per claims 5,15 Merchant-Moricon disclosed wherein: the network device stores one

or more user defined packet policies, and is configured to perform an action from a user defined

packet policy that matches the network rights descriptor (Moriconi, col. 5, lines 56-67).

6.   As per claims 6,16 Merchant-Moriconi disclosed wherein: the network device is

configured to route the data packet using a layer 2-3 switch (Merchant, col. 3, lines 11-19).

7.   As per claims 7,17 Merchant-Moriconi disclosed wherein: the network rights descriptor

comprises an application rights descriptor, a content rights descriptor, and an enterprise rights

descriptor (Moriconi, col. 4, lines 4-19).

8.   As per claims 8,18 Merchant-Moriconi disclosed wherein: the network rights descriptor

is encrypted (Merchant, col. 4, lines 23-29).

9.   As per claims 9,19 Merchant-Moriconi disclosed wherein the network device is

configured to process the data packet at wire-speed (Merchant, col. 2, lines 1-14).

10.   As per claims 10,20 Merchant-Moriconi disclosed wherein the network device is

configured to block discarded data packets from utilizing the computer network, redirect

discarded data packets, and log discarded data packets (Moriconi, col. 5, lines 56-67).

11.   As per claim 21 Merchant-Moriconi disclosed wherein the second network device is

configured to strip the local network descriptor before processing the data packet, if the data

packet has a destination external to the computer network (Merchant, col. 4, lines 1-5).

Conclusion

12.   Any inquiry concerning this communication or earlier communication from the examiner

should be directed to Adnan Mirza whose telephone number is (571)-272-3885.

13.   The examiner can normally be reached on Monday to Friday during normal business

hours. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Glenton B Burgess can be reached on (571)-272-3949. The fax for this group is

(703)-746-7239. The fax phone number for the organization where this application or

proceeding is assigned is 571-273-8300.

14.   Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for un published

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at (866)-217-9197 (toll-free).

/Adnan M Mirza/

Examiner, Art Unit 2445

/Larry D Donaghue/

Primary Examiner, Art Unit 2454